

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

WILLIAM H. BRANDSTATT,
Plaintiff,
vs.
K. CLARK, et al.,
Defendants.

1:21-cv-01600-AWI-GSA-PC
ORDER DENYING MOTION FOR
APPOINTMENT OF SPECIAL COUNSEL
(ECF No. 21.)

On March 28, 2022, Plaintiff filed a motion seeking the appointment of special counsel. (ECF No. 21.) Plaintiff requests the Court to appoint Timothy David Hudkins as counsel for Plaintiff, and Mrs. Patricia A. Saye Hudkins as co-counsel. Plaintiff acknowledges that neither of these individuals is a licensed attorney recognized as a practitioner of the law by the Court.

Plaintiff's request must be denied. *Pro se* litigants have no authority to represent anyone other than themselves; therefore, they lack the representative capacity to file motions and other documents on behalf of prisoners. See Johns v. County of San Diego, 114 F.3d 874, 877 (9th Cir. 1997) (“[A] non-lawyer ‘has no authority to appear as an attorney for others than himself,’” (quoting C.E. Pope Equity Trust v. United States, 818 F.2d 696, 697 (9th Cir. 1987)); see also Simon v. Hartford Life, Inc., 546 F.3d 661, 664 (9th Cir. 2008) (non-attorney plaintiff may not attempt to pursue claim on behalf of others in a representative capacity).

1 “Although a non-attorney may appear *in propria person* in his behalf, that privilege is
2 personal to him.” Id. (citations omitted). Therefore, Plaintiff’s motion for appointment of special
3 counsel must be denied.

4 Based on the foregoing, **IT IS HEREBY ORDERED** that Plaintiff’s motion for
5 appointment of special counsel, filed on March 28, 2022, is denied.

6
7 IT IS SO ORDERED.

8 Dated: May 10, 2022

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE